

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

Please Choose Division

MIDAS GREEN TECHNOLOGIES, LLC,

- VS. -

RHODIUM ENTERPRISE, INC.; RHODIUM TECHNOLOGIES LLC;
RHODIUM 10MW LLC; RHODIUM 2.0 LLC; RHODIUM 30MW
LLC; RHODIUM ENCORE LLC; RHODIUM INDUSTRIES LLC;
RHODIUM JV LLC; RHODIUM RENEWABLES LLC; RHODIUM
SHARED SERVICES LLC; RHODIUM SHARED SERVICES PR
INC.; CHASE BLACKMON; CAMERON BLACKMON; AND
NATHAN NICHOLS.

Case No. 6:22-cv-00050-ADA

MOTION FOR ADMISSION PRO HAC VICE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Benjamin Allen Herbert, applicant herein, and
moves this Court to grant admission to the United States District Court for the Western District of
Texas pro hac vice to represent Rhodium Enterprise, Inc. et al. in this case, and
would respectfully show the Court as follows:

1. Applicant is an attorney and a member of the law firm (or practices under the name of)
Kirkland & Ellis LLP with offices at:
Mailing address: 555 S. Flower Street, Suite 3700
City, State, Zip Code: Los Angeles, CA 90071
Telephone: (213) 680-8577 Facsimile: (213) 680-8500
2. Since 07/07/2011, Applicant has been and presently is a
member of and in good standing with the Bar of the State of California.
Applicant's bar license number is 277356.
3. Applicant has been admitted to practice before the following courts:

Court:	Admission date:
<u>California State Court</u>	<u>07/07/2011</u>
<u>US Court of Appeals, Federal Circuit</u>	<u>08/10/2012</u>
<u>See Attached Additional Courts</u>	

3. Additional Court Admissions

Court	Admission Date	Active or Inactive
US Court of Appeals, Ninth Circuit	5/15/2020	Active
US District Court, CDCA	2/24/2014	Active
US District Court, NDCA	12/22/2017	Active
US District Court, SDCA	10/25/2013	Active

4. Applicant is presently a member in good standing of the bars of the courts listed above, except as provided below (list any court named in the preceding paragraph before which Applicant is no longer admitted to practice):

N/A

5. I ☐ have ☒ have not previously applied to Appear Pro Hac Vice in this district court in Case[s]:

Number: _____ on the _____ day of _____, _____.

Number: _____ on the _____ day of _____, _____.

Number: _____ on the _____ day of _____, _____.

6. Applicant has never been subject to grievance proceedings or involuntary removal proceedings while a member of the bar of any state or federal court, except as provided:

N/A

7. Applicant has not been charged, arrested, or convicted of a criminal offense or offenses, except as provided below (omit minor traffic offenses):

N/A

8. Applicant has read and is familiar with the Local Rules of the Western District of Texas and will comply with the standards of practice set out therein.

9. Applicant will file an Application for Admission to Practice before the United States District Court for the Western District of Texas, if so requested; or Applicant has co-counsel in this case who is admitted to practice before the United States District Court for the Western District of Texas.

Co-counsel: Kat Li
Mailing address: 401 Congress Avenue
City, State, Zip Code: Austin, TX 78701
Telephone: 512-678-9100


Should the Court grant applicant's motion, Applicant shall tender the amount of \$100.00 pro hac vice fee in compliance with Local Court Rule AT-l(f)(2) [checks made payable to: Clerk, U.S. District Court].

Wherefore, Applicant prays that this Court enter an order permitting the admission of Benjamin Allen Herbert to the Western District of Texas pro hac vice for this case only.

Respectfully submitted,

Benjamin Allen Herbert

[printed name of Applicant]



[signature of Applicant]

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of this motion upon each attorney of record and the original upon the Clerk of Court on this the 21st day of March, 2022.

Benjamin Allen Herbert

[printed name of Applicant]


[signature of Applicant]

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BLACKMON; CAMERON BLACKMON; AND NATHAN
NICHOLS,

Case No.: 6:22-cv-00050

ORDER

BE IT REMEMBERED on this day, there was presented to the Court the Motion for Admission Pro Hac Vice filed by Benjamin Allen Herbert, counsel for Rhodium Enterprise, Inc. et al., and the Court, having reviewed the motion, enters the following order:

IT IS ORDERED that the Motion for Admission Pro Hac Vice is GRANTED, and Benjamin Allen Herbert may appear on behalf of Rhodium Enterprise, Inc. et al. in the above case.

IT IS FURTHER ORDERED that Benjamin Allen Herbert, if he/she has not already done so, shall immediately tender the amount of \$100.00, made payable to: **Clerk, U.S. District Court**, in compliance with Local Court Rule AT-1(f)(2).

SIGNED this the _____ day of March, 20 22.

Please Choose Judge